

The CDC, the American College of Sports Medicine, and the U.S. Surgeon General have come together to recommend that, for adults, 30 minutes of moderate-intensity activity 5 or more days a week will actually stabilize and reverse the trends we have seen. It is clear that additional physical activity will have even increased benefits on the part of the body that I specialized on, the heart, but also chronic diseases such as diabetes, probably some cancers, clearly lung disease as well. Again, if we can all concentrate on that 30 minutes.

In terms of weight gain, it is not clear yet. We can't accurately predict and say this is how much exercise you need to do to prevent weight gain or reverse weight gain because it is such an individual matter. But we all know physical activity plays a very prominent role in reversing weight gain. It is an important aspect of weight control. It helps promote caloric balance. It helps promote general well-being. In fact, it also helps control appetite.

I mention all this, and I am delighted you will see a lot of Senators and staff members wearing one of these little pedometers. I happen to have one on now. I am a little embarrassed to open up and read how many steps I have taken today. As of 9:30 this morning I have only taken 625 steps. That is too little because by the end of the day I need to have taken a recommended 8,000 or 10,000 steps.

In fact, yesterday I only took about 4,500 steps. So I need to reach my goal of 8,000 to 10,000 over the course of the day. What it does cause me to do is at least think about, instead of taking the elevator right outside the doors, to walk up those two flights of steps, or instead of riding in a car a block or two blocks or three blocks, go ahead and walk on the beautiful day that we have outside. The feedback one gets really helps you think, and then hopefully gives you sort of secondary reinforcement to incorporate that into your lifestyle.

The daily step goals can vary. What I encourage people to do is wear these little inexpensive pedometers. All they do is measure your steps. They do that fairly accurately. People's steps are different lengths, but they give you a way to monitor the activity you do each day, but then also how much you can improve by altering your lifestyle just a little bit. That feedback is very important in terms of changing lifestyle.

During last week—and we will see how long it lasts; I hope it will be for a while—all of my staff have gone out and gotten these little, tiny plastic devices which they are wearing. This week we are going to be measuring our baselines to see where we are, and then we will see in the future how much improvement there is. In fact, later today we will all go out and take a little jog around The Mall. All of us will try bringing our counts up. We try to do a lot within our own Senate community.

I encourage my colleagues to do the same. It is really a matter of raising awareness and changing our lifestyles, which will definitely improve health.

I thank the CDC Foundation and the America on the Move organization for supplying us with these devices. I should also mention for those of my colleagues and others who are listening today who wish to find out more about the pedometers and the importance of daily exercise, two Web sites. The one I highly recommend is the CDC Web site. I will give my colleagues both those addresses. The Web site for America on the Move is [www.americaonthemove.org](http://www.americaonthemove.org). The Web site for the CDC is [www.cdc.gov](http://www.cdc.gov).

You don't have to run. You can walk. You can use a pedometer doing that, and you can make great strides toward a healthier lifestyle.

A couple of key points:

The 30-minute minimum does not have to be done at one time in terms of the official recommendations. You can do it in three 10-minute intervals over the course of the day. You want to be walking at a fast enough intensity where it will make a difference enough to accelerate the heart rate modestly for each of those 10-minute periods.

Finally, I will close with the best part of all of this, which is that it is never too late. No matter what age you are, you can actually change your overall health status, your quality of life, and how long you live if you decide today to change your lifestyle. It will make a difference. It doesn't matter how old you are, how unfit your baseline is, or how inactive you are. Current research shows that starting a more active lifestyle through exercise can make you healthier and improve your quality of life.

That is my health tip for day. It is a little bit about what we do as physicians, as one who exercises regularly, and as one who believes it can make a difference. I know the distinguished occupant of the Chair, the distinguished President pro tempore, is a religious exerciser.

I wanted to make that very brief statement.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

Who seeks recognition?

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### POLITICIZATION OF THE NOMINATION PROCESS

Mr. DASCHLE. Mr. President, our Constitution has vested the Senate with the responsibility of advising and consenting on the President's nominations.

Throughout the full range of administration appointments—from top Cabinet officials, to Federal judges, to boards and commissions—the Senate's role is to speak for the American people and ensure the highest standards of public service are maintained throughout our Government.

We have exercised this oversight authority with extraordinary restraint. Democrats have sought to participate in the nomination process and work together with the administration and the majority in a bipartisan fashion to confirm public servants in the highest traditions of our Nation.

Regrettably, the administration has chosen to reject the course of bipartisanship, even though Democrats have tried to accommodate the President's goal of filling judicial vacancies. The Senate has confirmed a record 173 Federal judges, rejecting only 3.

These three judges were far outside the mainstream and had troubling records of judicial activism in service to extreme ideology. They were rejected for that reason.

In spite of the Senate's judgment, the President has chosen to take the unprecedented step of using recess appointments to bypass the Senate on two occasions. First, in order to appoint Charles Pickering to the Fifth Circuit Court of Appeals. And second, to appoint William Pryor to the Eleventh Circuit Court of Appeals.

At no point has a President ever used a recess appointment to install a rejected nominee on to the Federal bench. And there are intimations that there will be even more recess appointments in the coming months.

These actions not only poison the nomination process, but they strike at the heart of the principle of checks and balances that is one of the pillars of the American democracy.

This cannot continue. What is at stake here is not just a few nominations. What is at stake is the Senate's obligation to represent the American people and check unrestrained executive power.

This White House is insisting on a radical departure from historic and constitutional practices. They have broken the process and we want to fix it.

And we stand ready to fix it. I have spoken to the majority leader about my serious concerns.

Let us be clear: We will continue to cooperate in the confirmation of Federal judges, but only if the White